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| APPLICATION NO. | FILING DAT | E | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. | |
|---------------------|--------------------------|------------------|----------------------|-------------------------|------------------|--|
| 10/747,713 | 12/23/2003 | | Bret Ja Chisholm | 120501-1 | 5883 | |
| 6147 | 7590 02/1 | 8/2005 | | EXAMINER | | |
| GENERAI GLOBAL R | ELECTRIC CO | HARLAN, ROBERT D | | | | |
| | ESEARCH OCKET RM. BLD | G. K1-4A59 | | ART UNIT | PAPER NUMBER | |
| NISKAYUI | NA, NY 12309 | | | 1713 | | |
| | | | | DATE MAILED: 02/18/2009 | 5 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

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|--|--|---|--|----------|--|--|--|--|
| | Applica | tion No. | Applicant(s) | | | | | |
| | 10/747, | 713 | CHISHOLM ET AL. | | | | | |
| Office Action Summary | Examin | er | Art Unit | | | | | |
| | Robert [| D. Harlan | 1713 | | | | | |
| The MAILING DATE of this commu Period for Reply | nication appears on t | he cover sheet with the | correspondence address | | | | | |
| A SHORTENED STATUTORY PERIOD THE MAILING DATE OF THIS COMMUN - Extensions of time may be available under the provisior after SIX (6) MONTHS from the mailing date of this com - If the period for reply specified above is less than thirty - If NO period for reply is specified above, the maximum of the period for reply within the set or extended period for reply reply received by the Office later than three months earned patent term adjustment. See 37 CFR 1.704(b). | NICATION. ns of 37 CFR 1.136(a). In no animunication. (30) days, a reply within the sistatutory period will apply and by will, by statute, cause the a | event, however, may a reply be tatutory minimum of thirty (30) d will expire SIX (6) MONTHS fro pplication to become ABANDON | timely filed ays will be considered timely. m the mailing date of this communi NED (35 U.S.C. § 133). | ication. | | | | |
| Status | | | | | | | | |
| 1) Responsive to communication(s) fi | led on | | | | | | | |
| 2a) This action is FINAL. | 2b) This action is | non-final. | | | | | | |
| 3) Since this application is in condition | Since this application is in condition for allowance except for formal matters, prosecution as to the merits is | | | | | | | |
| closed in accordance with the prac | closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. | | | | | | | |
| Disposition of Claims | | | | | | | | |
| 4) Claim(s) 1-34 is/are pending in the | application. | | | | | | | |
| 4a) Of the above claim(s) is/ | 4a) Of the above claim(s) is/are withdrawn from consideration. | | | | | | | |
| 5) Claim(s) is/are allowed. | Claim(s) is/are allowed. | | | | | | | |
| 6)⊠ Claim(s) <u>1-34</u> is/are rejected. | Claim(s) <u>1-34</u> is/are rejected. | | | | | | | |
| 7) Claim(s) is/are objected to. | Claim(s) is/are objected to. | | | | | | | |
| 8) Claim(s) are subject to restr | Claim(s) are subject to restriction and/or election requirement. | | | | | | | |
| Application Papers | | | | | | | | |
| 9)☐ The specification is objected to by t | he Examiner. | | | | | | | |
| 10)☐ The drawing(s) filed on is/are | e: a) accepted or | b) objected to by the | e Examiner. | | | | | |
| Applicant may not request that any obj | ection to the drawing(s |) be held in abeyance. S | ee 37 CFR 1.85(a). | | | | | |
| Replacement drawing sheet(s) includir | ng the correction is requ | uired if the drawing(s) is o | objected to. See 37 CFR 1.1 | 121(d). | | | | |
| 11) The oath or declaration is objected | to by the Examiner. I | Note the attached Office | ce Action or form PTO-15 | 52. | | | | |
| Priority under 35 U.S.C. § 119 | | | | | | | | |
| 12) Acknowledgment is made of a claim a) All b) Some * c) None of: 1. Certified copies of the priorit 2. Certified copies of the priorit 3. Copies of the certified copies application from the Internati * See the attached detailed Office acti | y documents have be y documents have be s of the priority docur ional Bureau (PCT R | een received. een received in Applica ments have been recei ule 17.2(a)). | ation No ved in this National Stag | e | | | | |
| See the attached detailed Office acti | on for a list of title Ce | ranea copies not recei | vou. | | | | | |
| Attachment(s) | | | | | | | | |
| 1) Notice of References Cited (PTO-892) | | 4) Interview Summa | | | | | | |
| Notice of Draftsperson's Patent Drawing Review Information Disclosure Statement(s) (PTO-1449 of Paper No(s)/Mail Date | | Paper No(s)/Mail 5) Notice of Informal 6) Other: | Patent Application (PTO-152) | | | | | |

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DETAILED ACTION

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Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. The factual inquiries set forth in *Graham* v. *John Deere*Co., 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
 - 1. Determining the scope and contents of the prior art.
 - 2. Ascertaining the differences between the prior art and the claims at issue.
 - 3. Resolving the level of ordinary skill in the pertinent art.
 - Considering objective evidence present in the application indicating obviousness or nonobviousness.
- 3. Claims 1-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curatolo, U.S. Patent No. 5,804,301 (hereinafter "Curatolo"). Curatolo teaches a radiation-curable

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coating composition comprising at least one polyfunctional acrylate monomer, at least one reactive vinyl monomer and at least one photoinitiator. See Curatolo, Abstract; col. 2, line 61 through col. 3, line 10. Curatolo further teaches compositions containing two or more polyfunctional acrylate monomers and specific photoinitiators. See Curatolo, col. 8, lines 35-52 and cols. 10-11. The present invention differs from the teachings of Curatolo in that Curatolo does not teach nanoscale filler. Curatolo teaches examples of fillers including silica. See Curatolo, col. 9, lines 31-38.

Interpreting the claims in the broadest light possible, the Examiner contends Curatolo teaches to one of ordinary skill in the art that silica regardless of the size would be useful to teachings of Curatolo concerning curable coating compositions.

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Conclusion

- 4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert D. Harlan whose telephone number is (571) 272-1102. The examiner can normally be reached on Mon-Fri, 10 AM 8 PM.
- 5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David W. Wu can be

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reached on (571) 273-1114. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Robert D. Harlan Primary Examiner Art Unit 1713 Page 4

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